



Department of Defense **INSTRUCTION**

October 29, 1990
NUMBER 6050.5

ASD (FM&P)

SUBJECT : DoD Hazard Communication Program

- References:
- (a) DoD Instruction 6050.5, "Hazardous Materials Information System, " January 25, 1978 (hereby canceled)
 - (b) Title 29, Code of Federal Regulations, Section 1910.1200, "Hazard Communication, " August 24, 1987, Section 1910.120, "Hazardous Waste Operations and Emergency Response, " May 4, 1987 and Section 1910.1450, "Occupational Exposure to Hazardous Chemicals in Laboratories, " January 31, 1990.
 - (c) DoD Safety and Occupational Health Program Policy Memorandum 88-1, "Hazard Communication, " February 9, 1988 (hereby canceled)
 - (d) Federal Standard 313, "Material Safety Data Sheets, Transportation Data, and Disposal Data for Hazardous Materials" furnished to Government Activities, " latest revision
 - (e) Through (q) , see enclosure 1

A. REISSUANCE AND PURPOSE

This Instruction reissues reference (a); fulfills the requirements of reference (b); updates DoD policy responsibilities and procedures for a Comprehensive Hazard Communication Program that:

1. Prescribes training for DoD personnel to ensure that they are:
 - a. Aware of the potential health hazards associated with their occupation.
 - b. Informed of safe work practices and proper use of engineering controls.
 - c. Trained in the selection, use, and availability of appropriate personal protective equipment to prevent chemically related injuries and illnesses.
2. Requires the DoD Components to comply with the Occupational Safety and Health Administration (OSHA) under 29 C.F. R. 1910.120, 1910.1200 and 1900.14"50 hazard communication standards (HCS) reference (b) .

3. Updates policy on hazard communication, DoD Policy Memorandum 88-1., (reference (c)) and policy on the DoD Hazardous Materials Information System (HMIS) data system under this Instruction. The HMIS is used to acquire, review, store, and disseminate selected information on hazardous materials as they are defined in Federal Standard 313 and FARS subparagraph 22.3 and DFARS 252.223-7004 (references (d) and (e)). The HMIS provides reference information required at all levels of DoD management to:

a. Develop procedures to prevent injuries and occupational illness in the handling, storage, use, transportation, and disposal of hazardous materials and wastes.

b. Apprise DoD and contractor personnel of the potential hazards of materials encountered in the DoD workplaces.

c. Devise environmentally acceptable disposal procedures.

d. Assist in hazardous materials and hazardous waste minimization programs under DoD Directive 4210.15 (reference (f)).

e. Comply with Federal safety and health regulations (reference (g)).

4. Authorizes the continued publication of the following documents, consistent with DoD 5025.1-M (reference (h)).

a. DoD 6050.5-M (reference (i)).

b. DoD 6050.5-G, (reference (j)).

c. DoD 6050.5-G-1, (reference (k)).

d. DoD 6050.5-H, (reference (l)).

e. DoD 6050.5-W, (reference (m)).

B. APPLICABILITY AND SCOPE

1. This Instruction applies to:

a. The Office of the Secretary of Defense (OSD); the Military Departments; the Chairman, Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Commands; the Inspector General, Department of Defense (IG, DoD); the Uniformed Services University of the Health Sciences (USUHS); the Defense Agencies; and the DoD Field Activities (hereafter referred to collectively as "DoD Components"). The term "Military Services, " as used herein, refers to the Army, Navy, Air Force, and Marine Corps.

b. All DoD personnel who use, handle or may be potentially exposed to hazardous materials and waste, including those working in contractor facilities. Where feasible, such DoD personnel may be included in the contractor's hazard communication program. In those cases, DoD Components retain ultimate responsibility for program oversight, adequacy, and DoD worker participation.

c. All DoD Components in the acquisition and processing of material safety **data** sheets (**MSDS**), in their roles as:

(1) Employers of personnel potentially exposed to hazardous materials in the workplace.

(2) Distributors of hazardous materials to downstream DoD personnel and/or customers, as defined in accordance with (**IAW**) the requirements of Section 1900.1200 of reference (b).

2. This Instruction applies to all hazardous materials used within the Department of Defense, whether centrally or locally managed and procured.

3. Contractor employees, who are employed at a DoD-owned or -operated facilities may be included in the DoD Components' Hazard Communication Program on a space available and reimbursable basis, as determined by the contracting officer. In those cases, contractors must assume ultimate responsibility that their employees have received appropriate training, and ensure that all required records for their employees are maintained. Nothing in this Instruction alleviates Government contractors from full compliance with reference (b) and comparable state and local requirements.

4. The training and **labeling** requirements of 29 CFR 1910.1200, DoD 6050.5-H (reference (b) and (1)) and the requirements of this Instruction apply to all DoD Components. Those requirements should not be duplicated for DoD personnel regulated by other Federal Agencies exercising statutory authority under Section 1910.1200, Section (b) (6), of reference (b); e.g., pest control and nuclear facility workers.

5. This Instruction applies only to the occupational uses and exposures to hazardous chemicals.

C. POLICY

It is DoD policy to:

1. Protect DoD personnel from adverse effects of workplace hazardous materials and waste in order to reduce chemically related injuries and illnesses.

2. Have a standardized HMIS established, maintained, and used by all the DoD Components.

D. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Force Management and Personnel (ASD(FM&P))), shall provide policy guidance, coordination, and oversight of the DoD Hazard Communication Program.

2. The Head of DoD Components shall:

a. Establish and maintain hazard communication programs that conform to the requirements of this Instruction.

b. ~~De~~Designate an office or agency as office of primary responsibility (OPR) to issue policy and guidance for that Component's role in the HMIS. If appropriate, designate a separate office or agency to serve as that DoD Component's focal point for obtaining reviewing, entering, and providing information to the HMIS data bank IAW the DoD Component's guidance.

c. Inform Headquarters, Defense Logistics Agency (DLA) (Attn: DLA-SE), of changes in focal points.

d. Ensure that purchase requests for applicable supply items include a requirement for contracting activities to obtain from offerors/suppliers MSDS and OSHA HCS compliant hazard warning label, IAW MIL-STD-129K, Federal Standard 313 and DFARS 252.223-7004, (references (n), (d) and (e)). The MSDS must be available for worker training and reference prior to the material being released for use in the workplace.

e. ~~Est~~ablish health education programs IAW with this Instruction and DoD Instructions 6055.1 and 6055.5 (references (o) and (p)) to ensure that all personnel who work with hazardous materials or wastes are notified of the following:

- (1) Hazards to which they are potentially exposed.
- (2) Exposure symptoms and emergency first aid treatment.
- (3) Precautions for safe use.
- (4) Personal protective equipment and control devices.
- (5) Waste disposal instructions.

f. Develop procedures to ensure that any proprietary **formulary** and/or trade secret information in a MSDS is protected and used only as a management tool for exposure and accident prevention and health hazard education. Trade secret information shall be treated IAW the requirements and restrictions of the 29 C.F.R. 1910.1200, (reference (b)). Disclosure of any information outside of the Department of Defense shall be IAW DoD Directive 5400.7 (reference (q)).

g. Provide guidance to its contracting officers to include in contracts for the purchase of hazardous materials; a notice that the MSDS and manufacturer's labels are to be forwarded to the designated office of the contracting activity, who shall be responsible for forwarding the MSDS and manufacturers label to the DoD Components' HMIS focal point.

h. Ensure that MSDS and label information in any of the Component's local level reference systems is forwarded to their designated focal point for review and submission to the DoD **HMIS**, as appropriate.

i. If requested, provide the Director, DLA, with information for the semiannual management report on status of **HMIS** implementation.

3. The Director, Defense Logistics Agency (DLA) is hereby designated executive agent for the HMIS and publication of DoD Manual 6050.5-M, "DoD Hazardous Materials Information System Procedures" and shall administer the **HMIS** IAW the policies established by the Deputy Assistant Secretary of Defense (Family Support, Education and Safety) (**DASD(FSE&S)**), under the direction of the **ASD(FM&P)**, and specifically shall:

a. Establish and operate the DoD **HMIS** data bank for the storage and retrieval of data **IAW** the following minimum provisions:

(1) Material Safety Data Sheet (**MSDS**), transportation, disposal, and label information shall be accessible by National Item Identification Number (**NIIN**), focal point assigned stock number (in the absence of **NIIN**), trade name and/or part number, hazard characteristic code, hazardous ingredients, and manufacturer/distributor commercial and government entity (CAGE) code.

(2) The data bank shall be open-ended to allow for expansion, as required by future safety, health, environmental, or transportation legislation or regulation.

(3) **MSDS** records **shall** be retained for at least 40 years. Data may be centrally archived as the system grows.

b. Receive and process hazardous materials information from DoD Component's focal points, the General Services Administration (GSA) and other Federal Agencies as specified in the DoD 6050.5-M (reference (i)).

c. Publish and distribute the **HMIS** in both restricted and non-restricted versions and the data in media (microfiche and/or electronic data interchange technologies), appropriate to the needs and/or technology availabilities of the DoD customer on a quarterly basis IAW standard practices for the media involved.

d. Issue guidance to all DoD Components, as required to establish, operate, and improve the DoD **HMIS** data bank.

e. Provide a semiannual management report to the ASD (FM&P) on the status of the implementation of the HMIS for all of the Department of Defense. Include the operational content and use statistics of the database. This report is due May 15 and November 15 of each year. DoD Component input must be requested through the Component OPR.

f. Negotiate agreements with Federal agencies establishing OPRS and focal points and for interaction with HMIS.

g. Negotiate agreements with industry to exchange hazardous material data.

E. Procedures

1. Training

a. Personnel occupationally exposed to hazardous materials shall be trained **IAW** the **HCS** requirements (reference (b)) prior to being assigned to work with hazardous materials *or* wastes.

b. The DoD and Federal Agency Hazard Communication Training Program DoD 6050.5-G-1, (reference (k)) should be used as the minimum training for all DoD personnel who handle or use hazardous materials. The DoD Components are not to develop or purchase other basic hazard communication training programs.

c. In-depth training on specific chemicals or operations is required and may be accomplished using commercial or DoD Component-developed programs. Research activities may tailor the program in Section 1910.1450 of reference (b) to meet the special needs of their workers. Copies of DoD **Component-** developed programs (base level, major command, or Component-wide) should be submitted to the **OASD (FM&P)** for the purpose of sharing those programs among the DoD Components.

2. Material Safety Data Sheets (MSDS)

a. Hazard warning information, **MSDS** and label, shall be readily accessible to DoD personnel for all hazardous materials they handle, use or may be potentially exposed.

b. DoD or contractor occupational health and/or safety personnel shall be available, on request, to provide explanations or interpretations of MSDS to supervisors and affected workers and assistance in **HCS** training.

c. DoD policy is to use the HCS (Section 1910.1200 of reference (b)) as a basis for hazard communication programs in foreign countries. Officials responsible for installations in foreign countries shall determine requirements for items to be acquired by contract and shall specify the need for the contractor to furnish safety and health hazard data. That requirement shall be stated in each procurement request for each hazardous chemical to be acquired either as an end-item or as a component of the material being procured. A **copy**

of the hazardous material information shall be provided to the DoD Component's focal point, for transmittal to the DoD **HMIS**, if the hazardous chemical is expected to be procured more than once or will ultimately be turned in to the Defense Reutilization and Marketing Office.

d. The activity controlling the formulation of hazardous chemicals **produced by** DoD Components shall develop the MSDS and the DoD label (DD Forms 2521 and 2522). The controlling DoD Component shall supply the MSDS and the DoD label to subsequent users and to the DoD Component focal point for entry into the HMIS data bank. Classified MSDSs and DoD labels shall be maintained and used by the DoD Components, but will not be sent to the DoD **HMIS**. Unclassified versions of this **MSDS**, adequate for transportation, spill response and emergency medical treatment, along with emergency telephone number should be provided to **the DoD HMIS**.

e. For nationally stock-listed and locally purchased nonstandard stock hazardous chemicals, MSDS and **HCS-compliant** labels shall be contractually required and obtained by the responsible contracting officer and forwarded to the **DoD** Component's focal point for processing to the HMIS data bank. For locally purchased chemicals, the contracting officer shall ensure the installation **MSDS** points of contact (**POC**) review the MSDS and label for adequacy before contract award. The installation POC shall then forward the MSDS and label to the DoD Component's focal point for processing. (DoD 6050.5-M reference (i)).

3. DoD Labeling

a. **All** hazardous chemicals used by DoD Components will be labeled IAW with **HCS** (reference (b)).

b. Commercial suppliers shall be required to label all hazardous **materials** with **HCS-compliant** labels (Section 1910.1200 of reference (b)) IAW **MIL-STD-129** (reference (n)).

c. DoD activities are not required to relabel, with the DoD label, hazardous chemicals received from commercial suppliers when those materials are labeled **IAW the** HCS (29 **C.F.R.** 1910.1200, reference (b)).

d. The DoD hazardous chemical warning labeling system (DoD 6050.5-H, reference (1)) is a method of communicating standardized hazard warning information to DoD personnel when manufacturers' labels cannot be used. DoD labeling shall be based on the information provided on the manufacturers' MSDS and label, and be IAW the methodology described in reference (1). The DoD label and data descriptors are to be used to meet the OSHA labeling requirements within the Department of Defense for:

(1) Hazardous chemicals manufactured by the Department of Defense. If required, specific ingredients, composition, or properties may be protected for national security reasons. Labels for items with protected information should contain unclassified information adequate to identify hazards and protect personnel, including name and address of DoD activity responsible for

developing the MSDS and the DoD label. Copies of unclassified label information should be provided to the appropriate HMIS focal point.

(2) Repackaged containers or breakdown quantities of hazardous chemicals.

(3) Marking tanks, piping, vats, or similar vessels of hazardous chemicals when other means, such as placards, are not available.

(4) Unlabeled hazardous materials already available in the DoD inventory. Chemicals in depot storage will be labeled when shipped or removed for use.

e. The DoD label can be applied with variations. Color DoD labels may be used. The size of the DoD label may be locally varied to fit the size and shape of the container being labeled. Local reproduction is authorized.

f. For efficient and consistent use of DD Forms 2521 and 2522, "Hazardous Chemical Warning Label," the DLA shall develop the system capability to allow the Military Departments, DLA, GSA and other organizations the capability to develop a data base of HCS-compliant labeling information for all hazardous chemicals in the HMIS. New fields shall be added to the HMIS, as required to contain DoD labeling information. The DLA shall provide the DoD Components a labeling file that prints the DoD Hazardous Chemical Warning label (DD Forms 2521 and 2522) from the HMIS compact disk-read only memory (CD-ROM) disk within 90 days of publication of this Instruction.

g. DoD Components shall not develop or use other workplace hazardous materials warning labels, except for Navy ships which may use alternate HCS compliant labeling for repackaged or breakdown containers or unlabeled containers aboard ship.

4. Hazard Communication and Chemical Hygiene Plans

a. All DoD Component installations using hazardous materials shall develop a written hazard communication plan IAW 29 C.F.R. 1910.1200 (reference (b)). Additionally, DoD installations with laboratories shall develop a chemical hygiene plan, IAW Section 1900.1450 of reference (b).

b. The installation plans should be readily available to all affected personnel and include any installation unique procedures about the local purchase of hazardous materials.

c. The hazard communication plan must ensure that contractors bringing hazardous materials onto DoD installations shall:

(1) Provide advance notification (normally 30 days) to installation officials of hazardous materials that will be used in the performance of the work.

(2) Provide copies of MSDS and labels of the hazardous chemicals and materials to the contracting officer, who shall forward these documents to installation health and safety officials 5 working days before the materials are brought on to the installation.

5. HMIS The DoD Component's focal points shall input information to the HMIS data bank as described in the DoD 6050.5-M (reference (i)) and in the following procedures:

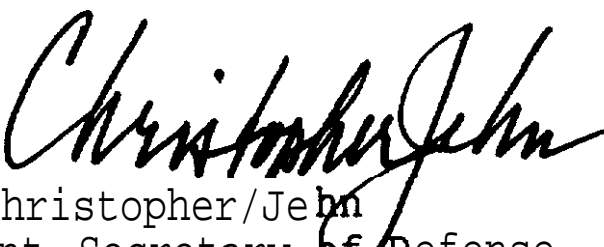
- a. Receive all MSDS obtained by the DoD Component's procuring activities.
- b. Review MSDS and labels as received to ensure that data are complete, reasonable, legible, and in conformance with the requirements of the HCS (29 C.F.R. 1900.1200, reference (b)). (Laboratory verification of technical elements is not required.) Add **missing** data elements and check obvious or suspected errors with the originator. Return incomplete or inadequate MSDS and labels to the supplier for correction.
- c. Submit data to the DoD **system** through the media (hard copy or electronic data interchange technologies) appropriate to the technological capabilities and/or availabilities of the DoD Component system users IAW the procedures of DoD 6050.5-M (reference (i)).
- d. Act as the primary POC between the DoD hazardous material data bank and the Component activities.

F. INFORMATION REQUIREMENTS

The information requirements prescribed herein, including the establishment and operation of the DLA data base, are assigned Report Control Symbol DD-(FM&P) (A,Q&AR) 1486.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.


Christopher Jehn
Assistant Secretary of Defense
(Force Management and Personnel)

Enclosure:
References

REFERENCES, continued

- (e) Federal Acquisition Regulation (FAR), Subpart 23.3, and 52.223-3, "Material Safety Data Sheets: Hazard Materials Identification and Material Safety Data"
- (f) Defense FAR Supplement (DFARS), Subpart 223.72 and clause 252.223-7004, "Material Safety Data Sheets: Hazard Materials Identification and Material Safety Data"
- (g) DoD Directive 4210.15, "Hazardous Materials Pollution Prevention, " July 27, 1989
- (h) DoD 5025.1-M, "Department of Defense Directive System Procedures," April 1981, authorized by DoD Directive 5025.1, December 23, 1988
- (i) DoD 6050.5-M, "DoD Hazardous Materials Information System Procedures, " July 1981, authorized by this Instruction
- (j) DoD 6050.5-G, "The Hazardous Materials Information System Users Guide," January 1987, authorized by this Instruction
- (k) DoD 6050.5-G-1, "Department of Defense Federal Hazard Communication, Training Program - Trainer's Guide," April 1988, authorized by this Instruction
- (l) DoD 6050.5-H, "Department of Defense Hazardous Chemical Warning Labeling System," June 1989, authorized by this Instruction
- (m) DoD 6050.5-W, "Department of Defense Federal Hazard Communication, Training Program - Student's Workbook," April 1988, authorized by this Instruction
- (n) MIL-STD-129k "Marking for Shipment and Storage," September 15, 1989
- (o) DoD Instruction 6055.1, "DoD Occupational Safety and Health Program," October 26, 1984
- (p) DoD Instruction 6055.5, "Industrial Hygiene and Occupational Health," January 10, 1989
- (q) DoD Directive 5400.7, "DoD Freedom of Information Act Program, " May 13, 1988